

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON DIVISION

REGINA B.,

Plaintiff,

v.

CIVIL ACTION NO. 2:23-cv-00374

KILOLO KIJAKAZI,
Acting Commissioner of Social Security,

Defendant.

ORDER

This action was referred to United States Magistrate Judge Omar J. Aboulhosn for submission of proposed findings of fact and recommendations for disposition pursuant to 28 U.S.C. § 636. On October 11, 2023, Judge Aboulhosn submitted his Proposed Findings and Recommendations (“PF&R”) [ECF No. 10], and recommended that the court deny Plaintiff’s request for remand, grant Defendant’s request to affirm the decision below,¹ affirm the final decision of the Acting Commissioner, and dismiss this matter from the court’s docket. Neither party filed objections to the PF&R, which were due by October 30, 2023.

A district court “shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.”

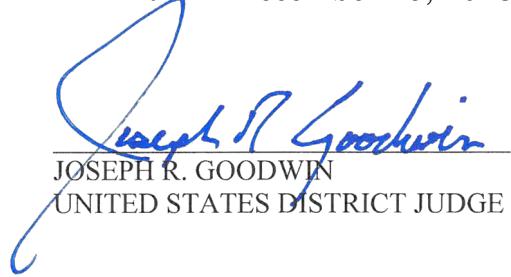
¹ Plaintiff’s request for remand is also called Plaintiff’s motion for judgment on the pleadings, *see* [ECF No. 7], and Defendant’s request to affirm the decision below is docketed as Defendant’s brief in support of judgment on the pleadings, *see* [ECF No. 8].

28 U.S.C. § 636(b)(1)(C). This court is not, however, required to review, under a de novo or any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the findings or recommendation to which no objections are addressed. *Thomas v. Arn*, 474 U.S. 140, 150 (1985).

Because the parties have not filed objections in this case, the court adopts and incorporates herein the PF&R [ECF No. 10], and orders judgment consistent therewith. As such, the court **GRANTS** the Defendant's request to affirm the decision below [ECF No. 8]; **DENIES** Plaintiff's request to remand [ECF No. 7]; **AFFIRMS** the decision of the Commissioner; and **DISMISSES** this civil action from the docket.

The court **DIRECTS** the Clerk to send a copy of this Order to counsel of record and any unrepresented party.

ENTER: December 19, 2023



JOSEPH R. GOODWIN
UNITED STATES DISTRICT JUDGE